

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KYLE BRANDON RICHARDS, Plaintiff, vs. GRETCHEN WHITMER, ET AL., Defendants.	2:20-CV-11805-TGB ORDER TRANSFERRING CASE TO THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN
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This is a *pro se* civil rights complaint filed under 42 U.S.C. §1983. Plaintiff Kyle Brandon Richards is a state prisoner confined at the Baraga Correctional Facility in Baraga, Michigan. The complaint asserts multiple constitutional violations by Defendants based upon Plaintiff's sexual orientation. Having reviewed the complaint, the Court concludes that venue is appropriate in the United States District Court for the Western District of Michigan and transfers the matter there.

The proper venue for civil actions in which jurisdiction is not based on diversity of citizenship is the judicial district where: (1) any defendant resides if all defendants reside in the same state; (2) a substantial part of the events or omissions giving rise to the claim occurred or a substantial part of the property in question is situated; or (3) any

defendant may be found if there is no other district in which plaintiff may bring the action. *See* 28 U.S.C. § 1391(b). Public officials “reside” in the county where they serve. *See O’Neill v. Battisti*, 472 F.2d 789, 791 (6th Cir. 1972). Additionally, a district court may transfer a civil action to any other district where it might have been brought for the convenience of the parties and witnesses, in the interest of justice. *See* 28 U.S.C. § 1404(a).

The events giving rise to this action appear to have occurred in Baraga County. Defendants reside in Baraga and Ingham Counties, both of which are located in the Western District of Michigan. *See* 28 U.S.C. § 102(b)(1), (2). Venue, therefore, is proper in the United States District Court for the Western District of Michigan.

The Court hereby **ORDERS** the Clerk of the Court transfer this case to the United States District Court for the Western District of Michigan.

SO ORDERED.

BY THE COURT:

/s/Terrence G. Berg

TERRENCE G. BERG

United States District Judge

Dated: July 15, 2020